

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TDC INTERNATIONAL CORP.
f/k/a G.E. THOMPSON DEVELOPMENT CORP.,

Plaintiff,

Case No. 08-cv-14792
Hon. Robert H. Cleland

v.

JAE L. BURNHAM, d/b/a QUICK AND
EASY MOVING, and QUICK AND EASY
MOVING, LLC

Defendants.

BRIAN C. GRANT (P71066)
O'Reilly Rancilio, PC
Attorney for Plaintiff
12900 Hall Road, Ste. 350
Sterling Heights, MI 48313
(586) 726-1000
bgrant@orlaw.com

STATUS UPDATE

Pursuant to this Court's Order staying the above action due to Defendant Jae L. Burnham filing for bankruptcy protection, Plaintiff presents the following as its update with regard to the adversary proceedings filed in the U.S. Bankruptcy Court for the Western District of Michigan, Case No. 17-80176-swd:

As this Court is aware, Defendant Jae L. Burnham filed for bankruptcy protection which automatically stayed the instant action pursuant to 11 U.S.C §362(a). On November 17, 2017, Plaintiff filed an adversary proceeding arguing that the debt for contempt of court sanctions against Defendant is not dischargeable.

On January 9, 2018, the bankruptcy court entered a default against Defendant for failing to plead or otherwise defend himself. Following that, on January 12, 2018 Plaintiff filed its Motion for Default Judgment to render the debt nondischargeable. However, on March 21, 2018, Defendant had counsel appear for a telephonic hearing on Plaintiff's Motion for Default Judgment and the bankruptcy court judge denied the motion and allowed Defendant the opportunity to present a defense to the allegations.

Following the denial of Plaintiff's Motion for Default Judgment, the court set a Scheduling Order on May 31, 2018 permitting Plaintiff to file a Motion for Summary Judgment within 35 days from the date of the Scheduling Order. Based upon this deadline, Plaintiff filed its Motion for Summary Judgment on July 2, 2018. As Defendants did not file a response, an Opinion and Order was entered by the bankruptcy court on July 18, 2018 that Plaintiff's Motion for Summary Judgment was granted and that the debt at issue is non-dischargeable. Since that time, counsel for Defendant has attempted to negotiate a resolution to this matter but to date no such resolution has been acceptable. As such, Plaintiff requests this Honorable Court reopen this lawsuit and order Defendant to show cause why he should not be held in contempt of court for his continued violation of this Court's previous Orders.

Respectfully Submitted,

O'REILLY RANCILIO, PC

/s/ Brian C. Grant

Brian C. Grant (P71066)
12900 Hall Road, Suite 350
Sterling Heights, MI 48313
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